

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board

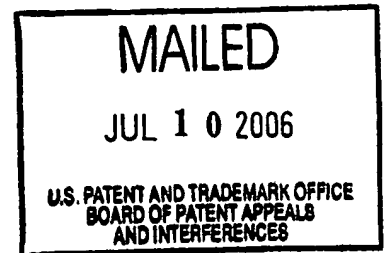
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBER J. MEMENDEZ

Appeal No. 2006-1239
Application 10/040,288

Administrative Remand to the Examiner



This application was electronically received in at the Board of Patent Appeals and Interferences (BPAI) on February 28, 2006. A Docketing Notice was mailed and an Appeal Number assigned (2006-1239) on February 28, 2006.


A review of the application has revealed that an Information Disclosure Statement (IDS) was scanned into the electronic file and available for viewing by the Board of Patent Appeals and Interferences on June 26, 2006. It is noted that the examiner has not an opportunity to consider the statement submitted or to determine if the submission meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 10/040,288

Accordingly, the application is remanded to the examiner for consideration of this IDS and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



Dale M. Shaw
Deputy Appeal Administrator
(571) 272-9797

DMS/kis

CC: CARDINAL LAW GROUP
SUITE 2000
1603 ORRINGTON AVENUE
EVANSTON, IL 60201